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UNITED STATES OF AMERICA

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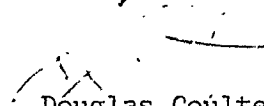
Mr. Gerald Volomino
3517 Warner Blvd. #4
Burbank, CA 91505

Dear Mr. Volomino:

Thank you very much for your letter.

Please know that when the issue of the mechanical
royalty rate comes before the Tribunal next year we
will take your concerns into very active consideration.

Sincerely yours,


Douglas Coulter
Chairman

3517 Warner Blvd. #4
Burbank, CA 91505

Dear Mr. Coulter:

I am a singer/songwriter. I live in a two room apartment and subsist on an income of about \$6,000 per year. Last year \$1,500 of that went for demo expenses and other related songwriting career expenses. I only work part time because I spend an additional thirty to forty hours a week either writing songs, making appointments with publishers, or making demos, etc. I don't want welfare, or food stamps, because I've chosen to put myself in the position I'm in, namely, that of a "struggling artist." However, I do expect a fair return or profit from my creative efforts, so I can't begin to explain the severe disappointment I felt when, after almost seventy years (1909-1978) the mechanical license rate was only increased from 2 cents to 2.75 cents. It was a real slap in the face to all of us out here, but one that we expected, knowing the tremendous lobbying power of record companies. Please consider the following:

- 1) How much the consumer price index has increased since 1909.
- 2) How much the price of records has increased since they were first marketed. They've doubled within the last ten years alone.
- 3) The mechanical rate in England is 6.25 %, with much of Europe at 8 %.

As a citizen, I've grown increasingly cynical over the tremendous power of big business to control government to its own advantage, at the cost of public benefit. The joke of raising the mechanical license fee .75 of a cent after seventy years was just further proof.

I recently attended a seminar in which the president of the number one recording company stated, "There are three things that make a hit record. #1 is the Song, #2 is The Song, and #3 is THE SONG!!!" He made his point. Isn't it ironic however, considering the retail price of \$1.29 to \$1.39 for a single, only 2.75 cents goes to the writer.

May I strongly urge the following:

- 1) That the mechanical royalty rate be raised to at least 5 cents. That still leaves us behind our European counterparts, but at least it's a step in the right direction.
- 2) More importantly, would you state the rate in terms of a percent of suggested retail price, so that as record companies raise the price of records in the future, we, the songwriters share proportionately in the benefits. Also, if they lower the price of the record, as is the case when it is dropped from the catalogue or placed on a budget label, songwriters will then get less. That's only fair. Furthermore, stating the mechanical rate in terms of a percent, will once and for all, eliminate the trouble of having to establish new rates every so many years due to inflation. Every one else gets "cost of living" raises, including government employees. So why not us to. We have no union, and thus no power to negotiate such increases. We need your help!
- 3) And finally, I recently read that ex-president Gerald Ford favored establishing a performance royalty on radio airplay for performers. For the life of me, I can't understand why songwriters have had this protection for

years, while the artist has been totally ignored. Radio stations make fantastic money selling advertising time, while the product they sell, namely the recording of an artist, they take as they choose, without any compensation to the artist.

I think all too often the public is fooled into thinking every artist in the music business lives in Bel-Air, drives a Rolls Royce, and has their own private jet. Believe me, for every Barry Manilow or Linda Ronstadt, there are a thousand others living out here at the poverty level. We work as waiters, or in other menial occupations, while at the same time trying to pursue an art, which, because of the lobbying power of big business, does not pay a fair return.

We're tired of struggling, being ignored and being exploited. HELP US! PLEASE! Think of how much you'd enjoy living in two rooms, on six thousand a year, working days to pay the rent, and nights to develop your art. Then watch record companies make a killing off your efforts, while you get two to three cents on every dollar you helped generate. It's pretty discouraging.

Sincerely and hopefully,

A handwritten signature in cursive script that reads "Gerald Volomino". The signature is fluid and extends to the right with a long, sweeping tail.

Gerald Volomino